



Decision of the Scituate Zoning Board of Appeals on the request of Diamond Development Realty Trust to extend for a second time a Variance granted by this Board and filed with the Town Clerk on November 17, 2006 for property known as Little Rock Island. On October 18, 2007, the Board of Appeals extended the variance until May 18, 2008. The Variance so granted and extended allowed the applicant relief under MGL c. 40A § 10 from Section 610.2 Lot Frontage Requirements of the Town of Scituate Zoning Bylaws. A copy of the original variance with the Town Clerk's certification of no appeal was filed and registered with the Plymouth County Registry of the Land Court on December 21, 2006 as Document No. 615805.

The request for a second extension was received by the Board and discussed at the Board's scheduled public hearing on April 17, 2008 with the following members of the Zoning Board of Appeals hearing the request:

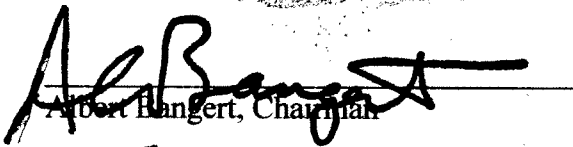
Albert Bangert, Chairman
Brian B. Sullivan
Sara J. Trezise


Attorney Michael C. Hayes represented Diamond Development Realty Trust before the Board. He again explained to the Board that the approval of the Variance in 2007 was the first step in the lengthy development proposal for the subject premises, Little Rock Island and for the nearby Great Rock Island.

Mr. Hayes also explained to the Board that since the issuance of the Variance by the Board, the applicants met informally with the Planning Board, and then filed a subdivision application for Great Rock Island which was denied in May, 2007. The applicants then filed with the Planning Board a request for a common driveway for Great Rock Island, which after lengthy public discussions was withdrawn without prejudice in August, 2007. A second application with the Planning Board for a common driveway was subsequently denied by the Planning Board. While this Board is not involved in any application process for Great Rock Island, the development potential of both Great Rock Island and Little Rock Island are intertwined. The applicant explained that extensive engineering has been done to date, and that discussions with abutting owners are ongoing. The applicant also expressed his hope that if the requested extension is granted, and development plans cannot be accomplished within the time frame of the extension, that the Board would continue work with him if he is forced to submit a new request for a variance in the months ahead.

For the foregoing reasons, the Board unanimously voted to GRANT the Applicant's request and hereby extends the Variance for six months until October 18, 2008.

ZONING BOARD OF APPEALS


Albert Langert, Chairman


Brian B. Sullivan


Sara J. Trezise

Filed with the Town Clerk on: 5/15/2008

This Special Permit will not become effective until such time as an attested copy of this decision has been filed with the Plymouth County Registry of Deeds after the appeal period of twenty (20) days.

Appeal of any decision of the Zoning Board of Appeals may be made pursuant to M.G.L. Chapter 40A, Section 17, and shall be filed in a court of competent jurisdiction. Proof of that filing shall be provided to the Town Clerk within twenty (20) days of the date of the filing of the decision with the Town Clerk.